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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GREGORIO MARTINEZ,

Defendant

CASE NO. 13-CR-70777

STIPULATION AND ~~PROPOSED~~ ORDER  
CHANGING DATE FOR STATUS HEARING AND  
EXCLUDING TIME FROM DECEMBER 12, 2013  
TO JANUARY 9, 2014

The defendant, Gregorio Martinez, represented by Geoffrey Hansen, Esquire, and the government, represented by Adam Wright, Assistant United States Attorney, appeared before the Court on November 20, 2013 for a status hearing on this matter. At that time, the parties represented that they were in the process of reviewing discovery and discussing a potential resolution of the matter. The Court set December 12, 2013 for another status hearing and excluded time under the Speedy Trial Act and Criminal Rule of Procedure 5.1.

The parties respectfully request that the date of the status hearing be moved to January 9, 2014. As a basis for this request, the parties represent that they are in the process of reviewing discovery and discussing a potential resolution in this matter. The parties request that the time be excluded for an

[PROPOSED] ORDER CHANGING HEARING DATE AND EXCLUDING TIME  
13-CR-70777

**FILED**  
**DEC 5 2013**  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 indictment or preliminary hearing under Federal Rule of Criminal Procedure 5.1 between December 12,  
2 2013 and January 9, 2014, while taking into account the public's interest in the prompt disposition of  
3 criminal cases. The parties further request that the time be excluded under the Speedy Trial Act between  
4 December 12, 2013 and January 9, 2014, for the purpose of effective preparation of counsel, taking into  
5 account due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

6 SO STIPULATED:  
7

8 MELINDA HAAG  
9 United States Attorney

10 DATED: December 4, 2013

11 /s/  
12 ADAM WRIGHT  
Assistant United States Attorney

13 DATED: December 4, 2013

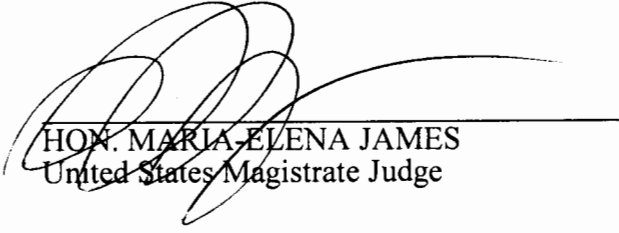
14 /s/  
15 GEOFFREY HANSEN  
Attorney for GREGORIO MARTINEZ

~~PROPOSED~~ ORDER

The Court hereby changes the status hearing scheduled for December 12, 2013 to January 9, 2014. Based upon the representation of counsel and for good cause shown, the Court also finds that failing to exclude the time between December 12, 2013 and January 9, 2014 would unreasonably deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between December 12, 2013 and January 9, 2014 from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. The Court also finds good cause exists to exclude the time for an indictment or preliminary hearing under Federal Rule of Criminal Procedure 5.1 between December 12, 2013 and January 9, 2014, taking into account the public interest in the prompt disposition in criminal cases. Therefore, IT IS HEREBY ORDERED that the time between December 12, 2013 and January 9, 2014 shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Federal Rule of Criminal Procedure 5.1.

IT IS SO ORDERED.

DATED: 12-5-13

  
HON. MARIA ELENA JAMES  
United States Magistrate Judge